App E IX 4

Previous References

1945-45
(Municipal

File No 88-45

Serial Nos 3

Later References

munl 145 46 (1-3)

C M 11-49 (1/2)

GENERAL AND REVENUE SECRETARIAT

CM/DEP 49/54

Serial Nos One

Part B for Nov 1945

SUBJECT

Layout of Site in SNo 2/1 Annigere Village near Lalbagh, Bangalore City & permission there-for for Mr Ramaswamy

To Mr T Ramaswamy
L 34-31 CS 1/11
Grants

2/1/46

C F 74]

6925
L

Routine Notes

[To be used only for notes requisitions, etc, not intended for permanent record]

Pchn dy 2.5.44 from Mr T Ramaswamy, B.A., LL.B Advocate Chickpet, Blore re the layout of sites on his land S No 2/1 on Shankal Ramm Lalbagh Road, Blore

orders of the Minister L.S.G & D.H on the Pchn

A report from the Comm may be obtained within a week on the matter

(Sd) H.G
2/5/43

2) Subd memo already signed by the Asst Secy, draft issue if approd

HHG
4/5

3) Draft
JN
4/5

Draft 11111 dy 5/5

SHSA
11/5
JN

Letter No AG Dy 375/39-40 dy 30-5-44 from the Addl Commissioner, Bangalore-Civil forwarding a report on the matter

It is stated that many sites formed by the applicant

3)

N B—Should routine notes be written on small slips notes must be copied or slips pasted on this form

C F 74]

6925 7613 7709 2

WD 01547—GPB—40 000— 9 12 42

Routine Notes

[To be used only for notes, requisitions, etc , not intended for ~~payments~~ permanent record]

would be only bits of sites which cannot form as independent sites & that the question has been placed before the Md ch again for decision as to how these incomplete sites should be dealt with

4) Mr. T Ramaswamy, the applicant has sent a letter to the Law Secy stating that he has already written to the Md Comm on 2.6.46 to the effect that he is prepared to continue his layout at present to the extent of his sites that are in conformity with the layout of the Govt Architect, leaving out for the present the other sites which have been rendered irregular on account of the General Layout & that he is in view of this undertaking that there is no need to place the matter again before the Md ch.

Submitted for orders with reference to para 1 supra

[illegible]
8/7

N B — Should routine notes be written on small slips the notes must be copied, or slips pasted on this form

6) The Hon'ble Court has stated that I should have approved of the Architect's layout in general with the general layout and has getting the un-converted portion of the land converted by the Revenue Dept. that the question as to how often both of sites which cannot be formed into independent sites and can be considered by the Revd Dept decision communicated to us.

7) The petitioner has stated that he is prepared to confine the layout at present to the extent of the lands formed by him so as to be in conformity with the layout by the first Architect, leaving out for the present the other sites which are irregular on account of good layout and adds that in view of his undertaking it is unnecessary for us to make to be before the Hon'ble this letter to forward and orders. 8) Above orders in the above file are also at para 1 supra

Law Secy (sd)
1972

8) Forwarded to Municipal lay-outs. Maybe allowed the

SEOY LAW DEPT
455
12 JULY 74
GOVT OF MYSORE

4

7613 7709 929

framed in the area under & under
the question is considered by
the City Improvement Board
& be considered in a few months

OFFICE OF THE MINISTER
FOR L S G & P H
Date 24 7 44
No 610

9) The resolution of the council may
be awaited

23-7-44

Letter no A6-27 375/39-40 & 29-7-44
from the Mc Corry, Bldg Stating
that in view of the undertaking given
by the Party that he will confine
himself to the regular layout & keep by
the other sites which have been rendered
irregular on account of the general layout
the DOC is of opinion that the matter need
not go to the council again etc.

10) Submitted for orders with reference to Para 9 supra

15/8

11) Above matter in Para 9 may be communicated

929 L 3122 5
L

Continuation Sheet | File No / Current No | of | Page

12) sd/d with a draft letter for approval
KHS
17/8

13) Issued
17/8/44

To The Ml Comm. Brighton
No L 1752 D 18/8/44
Requesting that the resolution of the
Ml Cl may be obtained & forwarded.
Letter No AB Dr 375/89/40 D 31/10/44
from the Ml Comm, Brighton
stating that the Ml Cl have
resolved that the Layout be Granted
as per the undertaking of the
Party, leaving out incomplete &
irregular roads coming within the
Comprehensive plan, on Condition
that he deposits all the usual
Charges for roads, drains, etc as
shown in the Layout plan
14) sd/d with reference to paras
9 & 11 supra
KHS
11/11/44

15) Mr D Ramaswamy B.A.
Advocate, Coimbatore,
Bandalwadi requested that he
may be permitted to layout sites
on his land in S.No 2/1 of
Gunnakal Jungle area Lal Bagh Road
Bhandup.

16) The question was asked for
Considered by the City Improvement

Committee after Meeting the plans from the
Party and they passed the following resolu=
The layout sent by the Govt Architect is
approved in general and the layout of
J. Narayanappa is also approved in principle
with the general layout

17) When the layout plans were first prepared
by the Asst Engineer, it was observed that
many sites were left as sites reserved
Committee as undependent sites
The Party however came an undertaking
that he would leave incomplete &
irregular sites having within the Compound
plans and the Asst Engineer to 10 the
to
right the permit showing the
incomplete irregular sites subject to
the condition that he deposits adequate
charges for roads, drains etc shown in the
layout. (Flap E)

18) The receipt of the Asst Engineer
order — received from
Lawley — 29/11/44

19) Being up on 7-12-44
Cus
4-12-44

20) Returned as directed above
Lawley
7/12/44

P L Narayanappa
7/12/44

SECY LAW DEPT
4416
GOVT OF MYSORE

SECY LAW DEPT
4661
MYSORE

Continuation Sheet | File No / Current No 3/22 5294 | of 2 2/12 1 Page

21) Issue not included in the area of the Village cadastre by the Land Board?

Cus
8/12/44
Law

22) Submitted with a draft letter for approval

WLS
8/12

23) Draft put up
8/12/44

To

The Executive Officer
C.D.T. Bd, Bangalore

No L 5790 Dt 1-12-44

Calls for some information

Sec A
13/12

Letter No 181 Dt 7-2-45 from the Executive Officer C.D.T. Board, Bangalore stating that S No 211 of Anupur Village formed part of the layout of Sunkal Farm, that in view of this layout proving untenable, being too low to be sewered, it is already ordered by Govt to be dropped & that therefore this S No is not needed for any extension.

24) Submitted with reference to Para 21 supra

SECT LAW DEPT 1943 GOVT OF INDIA

WLS
14/2

Law secy Law
15/2/45

25) Now that the Madras Village Cadastral Survey Act has been passed & S-25 of

Inclosure to S.R.O. 2/1 of Annakkal Village in the Taluk of Annakkal Town

C F 69]

Continuation Sheet

File No / Current No 5294 of 8 Page

A 25) The Act provides Immediate Possession but Private Law-suits Commissioner cannot be granted.

OFFICE OF THE [illegible] TER [illegible] 16 FEB 1945 No 2535

Cus 15-2-45

Notes RDO for

26) But the Act has not yet come into force why not then dispose of the objections on its merits?

OS 26/2

27) The Act has come into force with effect from 26-1-1945, only the Town Board to be formed

OFFICE OF THE [illegible] TER FOR R V N [illegible] 27 FEB 1945 No 3013

Cus 27-2-45

Notes RDO for

28) Above informed

OS 28/2

Cus 26-2-45

29) D/ft pleader

30) Sent with a draft letter for approval

WKB 5/3

31) Pl keep up and a copy of the sketch sent to Taluk Office

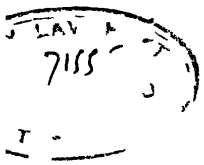
OS 1/3/45

Cus 3-3-45

5294/2

32) Build with draft letter for appl as MB 8/3 instructed in person.

33) Fr appl Lawsegs for 8/Mar



34) Cus 6-3-45

35) Fr me for 8/Mar

To the ml Commr, Bngs, thro DDS
No L 9051 Dy 10-3-45
States that the permission asked for cannot be granted

Petn dy 9-4-45 from Mr T S Ramaswamy, BA., LRB, 55/1 Lalbagh Rd Road Bngs requesting that permission may be granted for his Layout or the lands may be ordered to be acquired early.

Minister Memrs of the Minister R & L on the Petition

36) "Law Secy Please examine the points underlined & report in 4 or 5 days" (Sd) O P 10/4/45

6619

37) Previous references being on the subject are put up and duly flagged

38) A note is also put up, ~~stamp~~ giving the facts of the case & the limits for orders.

↳ to next page

In January 1940, the Municipal Commissioner Bangalore City, made a reference to Government requesting to be intimated whether persmission may be granted for the formation of a lay-out by Mr T Ramaswamy in S No 2/1 of Annipur village In letter No L 8151/M1 81-39-89 dated 26-3-40, the Government replied that the question of the main lay-out of the Central Farm area is disposed of Again in 1943, Mr T Ramaswamy petitioned to Government requesting permission for forming a layout on his land and a report was called for from the Municipal Commissioner The Municipal Commissioner, while forwarding the report, has pointed out that the Government have ordered that the question may be lie over for the present While forwarding the letter the Municipal president has stated that, in view of the difficulty in getting dwelling houses in the City, private layouts may be encouraged After due consideration, Government directed that the Municipal Commissioner to place this subject again before the Municipal Council for their consideration after getting suitable plans from the party and that the opinion of the Council together with the conditions, if any, proposed to be imposed, may be submitted for the orders of Government (vide M1 120-42 (178 & 180)

Again in May 1944, Mr Ramaswamy petitioned to Government for early orders in the matter The Municipal Commissioner who was asked to report in the matter has stated that many sites formed by the applicant would be only bits of sites which cannot form independent sites and that the question has been placed before the

the Municipal Council once again for deciding as to how these incomplete sites should be dealt with In the meanwhile Mr Ramaswamy wrote a letter to the Law Secretary on 2-6-44 to the effect that he is prepared to continue his layout at present to the extent of his sites that are in conformity with the Government Architect's plan, leaving out for the time being the other sites which have been rendered irregular on account of the general lay-out and that in view of his undertaking, there is no need to place the matter again before the Municipal Council

The Minister for L S G & P H in para 9 of the notes supra ordered that the resulution of the Municipal Council may be awaited

In October 1944, the Municipal Commissioner forwarded the resolution of the Municipal Council to the effect that permission may be granted to the Petitioner for the layout on condition that he deposits all the usual charges for roads, drains etc , as shown in the layout plan The Engineer Officer, City Improvement Trust Board, Bangalore, who was consulted in the matter has reported that this survey No 2/1 of Annipur village is not needed for any extension, in view of this layout proving unsuitable, being too low to be sewered etc Government ordered that, in view of section 25 of the City Improvement Trust Board Act, which came into effect recently, no private layouts are permitted etc

On these orders, the petitioner Mr T Ramaswamy has again approached the Government for re-consideration of the orders of Government as he has been put to heavy loss in this behalf

Mr T Ramaswamy states that, as far back as 16-2-44 he has paid a conversion fine of Rs 7,400/- on the land and

and that this money was obtained as advance by a promise of sale of the sites to be formed on the above land to several perons He requests that either he may be permitted to form the layout and sell the sites or the land may be ordered to be acquired The point for consideration is whether in spite of the provision of the Bangalore City Improvement Trust Board having come into effect from 26-1-45, the permission sought for may be given

From the above history of the case, it is seen that the Municipal Council are quite agreeable to allow the petitioner to layout the area according to the plan approved by the Government Architect and the party has also agreed to abide by all the conditions imposed upon him in this respect

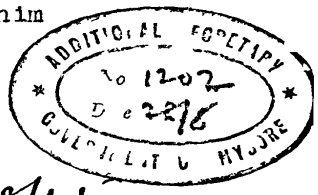
Further, this question has been under consideration for over 5 years - long before even the introduction of the Trust Board Act was even contemplated - It may not perhaps be considered unreasonable to treat this case as distinct from and having no bearing on, the question/enforcement of the provisions of the Trust Board Act

The Engineer Officer has pointed out that this land is not fitted for laying out extension He considers that the layout in this area would be unsuitable, being too low to be sewered But as against this, the layout of the extension area has been prepared by the Government Architect, and accepted by the Municipal Council long ago It may not perhaps be desirable to go back upon

6619
L

upon this resolution the question of the acquisition of the area does not therefore arise

Having regard to these facts, it is for consideration if the request of the petitioner for allowing him to lay out the same may be granted



Addl Secy
7/8/45

3) Is any Exemption provided for in the City of Bangalore Improvements Act of 1945 under Sec 25?

4) Does power vest in Govt to make Exceptions to the general rule & if so which is the enabling provision in the Act?

Addl Secy
30/8/45
Engineer

4) Section 25 of the City of Bangalore Improvement Act does not contemplate any exception in regard to the formation of the private layouts

4) The Trust Board Act came into effect on 26-1-45. The present case cannot perhaps be brought under the purview of the Trust Board Act, for the following reasons.

1) that the party (Mr Ramaswamy) had the Conversion fine of Rs 7400/ on the land, so far back as 16-2-44

2) that the City Municipal Council resolved in october, 1944, that permission may be granted to the petitioner for the layout on condition that he deposits all the usual charges for roads, drains etc, as shown in the layout plan approved by the Government Architect and that the party has also agreed to abide by all the conditions imposed upon him in this respect.

and

3) that the question has been under consideration for over four years — long before the introduction of the Trust Board Act was contemplated

4) The present case is the first of its kind after the Trust Board Act was passed

4) There is no exemption provided for in the Act & there is no enabling provision also

5) The question has perhaps to be viewed as one outside the scope of the Act, for reasons urged above, if the Govt

~~Consider~~ Consider that such a Convention is necessary in this case

Reference para 39 above

8/8/11

46) The City of Bangalore Improvement Act 1945 cannot have any retrospective effect.

47) In the present instance the party has paid the Conversion fine long ago and the Municipal Council are agreeable to permit him to form sites, & as these have the Govt architect has given the layout & the party binds himself to stick to the conditions to be imposed by Govt

48) The Engineer Officers State ~~that~~ that this area is not required for Extension purposes as it is too low to be sewered

49 On grounds of Equity, the party may be permitted to form a layout as it has taken quite five years and more, to dispose of a matter like this There is no need to acquire this area as it is not required by the Trust Board

49) I remember in a recent case, the Engineer officer would not agree to permit Dr. Mehta Eye Specialist to build his Clinic & Residential Quarters on the ground that the land was low lying and could not be sewered. The land was just opposite to the Happy World Restaurant on the Lal Bagh Road. The Municipality overruled this objection, as Dr Mehta agreed to raise the level of the ground by filling it with Earth so as to admit of its being sewered.

50) In a place like Annipura village, it is not possible to form first class extensions on absolutely unexceptionable lines especially when in mountainous places in the vicinity of Bangalore City we are inclined to relax. In this area also, the case of the petitioner requires sympathetic consideration. In getting the conversion fair

Approved 20.8.00 26 2 45

C F 69]

Continuation Sheet | File No / Current No | of | Page

Govt have withdrawn Committee themselves in agreeing to the formation of a layout

51) The formation of Sites in this village which is here or less a suburb of Bangalore city would relieve congestion in the city and provide decent houses for lower middle class people

52) In view of all these considerations permission may be granted to the said Har Sahai more than Rs 8,000/- (Eight Thousand) Govt to permission is not forthcoming

Minister for Ed 17/9/45

53 17/9/45

54) Submits with draft letter communicating the above orders for approval

55) Ref Minute Minutes at paras 26 & 28 above 27/9 paras 26 & 28 above) Dewan for perusal before 29/9 lvs

56) 28/9 28/9

57) 29/9

58 Issue

OFFICE OF THE MINISTER FOR EDUCATION C P & B
Date 12.9.45
No 1710

ADDITIONAL SECRETARY
No 1879
Dt 25/9
GIVEN UP TO DATE

DEWAN'S OFFICE
28 SEP 1945
No 2265

cy 1151/2

The Municipal Town Bangalore city

L 3259 / MISC-43=3 D 23-10-43-

Directs that the permission asked for by
Mr T Ramaswamy, for the formation of a lay-out
in Amrutahalli village may be granted

58) Send with a draft endorsement to the
Mr T Ramaswamy

Sd Illegible
for 30/10/43

To Mr T Ramaswamy
L 3431 D 1-11-43-
Endorses accordingly

BANGALORE CITY MUNICIPALITY

No A6-Dr. 375/39-40

Enc one plan

MUNICIPAL OFFICES

Bangalore 30th May *1944*

FROM

P SURYANARAYANA SETTI, ESQ, B A LL B
MUNICIPAL COMMISSIONER
Bangalore City

GEN & RGV SECRETARIAT 2613 3 JUNE 1944 L S G BRANCH

To

The Hon'ble Narayanaswamy Naidu, Esq, B.A, B L,
Legal Remembrancer and
Secretary to Government,
Law Department,
Bangalore.

SECY LAW DEPT 3 JUN 1944 SIR MYSORE

With reference to your letter No L 10582/M1 120-42 dated 29-4-1943, and subsequent memo No L.11111/M1. dated 5-5-1944, regarding the layout of sites by Mr T Ramaswamy in S No 2/1 of Annipur Village, near Lal-Bagh, Bangalore City, I have the honour to state that the City Improvement Committee and the Municipal Council have, at their meetings held on 6-11-1943 and 19-11-1943 respectively, approved of the Government Architect's layout in general with the applicant's layout being also approved in conformity with the general layout on his getting the unconverted portion of the land converted by the Revenue Department When the layout plans were got prepared by the Municipal Engineer as per Council resolution, it was observed that many sites would be only bits of sites which cannot form as independent sites The question has therefore been placed before the Municipal Council again for deciding as to how these incomplete sites should be dealt with The decision of the Municipal Council in this behalf will be submitted to Government in due course

I have the honour to be,
Sir,
Your most obedient servant,

P Suryanarayana Setti
Municipal Commissioner

Forwarded with compliments

C V Narasimhaiya
Honorary President

mlt

T. Ramaswamy B A LL B
LEGAL PRACTITIONER

Residence 55 LAL BAGH FORT ROAD
Chambers CHICKPET

Bangalore City 6th June 1944

To,

The Secretary,

L S G Department,

Bangalore

GEN & REV SECRETARIAT 7709 6 JUN 1944 L S G BRANCH

Sir,

Ref - Resolution No 15, dated 19-11-43 of the City Municipal Council, Bangalore, in the matter of grant of Lay-out

With reference to the above subject matter the Municipal Commissioner is of opinion that though the Municipal Council has permitted me to lay-out sites in S No 2/1, Annipura Village, near Lal-Bagh, it has not decided as to how the irregular sites should be disposed off and that the matter has to be decided again by the Municipal Council I learn that a report to that effect has been sent to the Government and the President, Municipal Council has been requested to place the matter before the Council

On 2-6-44 I wrote to the Municipal Commissioner stating that " I am prepared to confine my lay-out at present to the extent of my sites that are in conformity with the lay-out of the Government Architect, leaving out for the present the

the other sites which have been rendered irregular on account of the General lay-out' In view of my present undertaking it is unnecessary for the matter to go before the Council.

Hence I would request you to place the report of the Municipal Commissioner and this letter before the Minister for kind perusal and orders

Thanking you Sir,

Yours faithfully,

Ramaswamy

VL

BANGALORE CITY MUNICIPALITY

929/2

No A6-Dr 375/39-40 ML

Encl 2 WR KLR ML

MUNICIPAL OFFICES

Bangalore 29th Jul 1944

GEN & P V SECTT IT
8 AUG 1944
L S G BRANCH

FROM

P SURYANARAYANA SETTI, ESQ, BA LLB
MUNICIPAL COMMISSIONER,
Bangalore City

To

Narayanaswamy Naidu, Esq, B A, B L
Legal Remembrancer and
Secretary to Government,
Law Department,
Bangalore

SIR

In continuation of this office letter No A6-Dr 375/39-40 dated 30-5-1944, regarding the layout of sites by Mr T Ramaswamy in S No 2/1 of Annipura village, near Lal-Bagh, Bangalore City, I have the honour to state that the connected file was forwarded to the President for being placed before the Municipal Council The party, in the meanwhile, presented a letter dated 2-6-1944, both to the undersigned and the President, undertaking to continue his layout at present to the extent of the sites that are in conformity with the Government Architect's layout, leaving out for the present the other sites which have been rendered irregular on account of the general layout The President has opined on the letter that, in view of the undertaking given by the party, the matter can be disposed of without placing the matter before the Council A copy of the letter received from the party is enclosed herein for the orders of Government in the matter

I have the honour to be,
Sir,
Your most obedient servant,

P Suryanarayana Setti
Municipal Commissioner

Forwarded with compliments

C Rajagopalachari
Honorary President

mlt

Herewith I beg to forward to Government I feel it necessary to explain a few details The Municipal Council resolution for granting permission to Mr M Munisamy and Mr T Ramaswamy was passed on 8 1 40 In their order dated 28 3 40 Government-directed that the layout of S No 4/2 may be kept over for the present till the question of the

Her office Note of the Commissioner dated 16 10 43 was placed before the Council as City Improvement Committee as desired, as regards the layout of sites by Messrs Muniswamy and Ramaswamy on Survey of S No 4/2 & 2/1 Ayanambakkam village. The office Note was to the effect that on a subsequent petition of the parties Govt has called for the plan on 11 2 43 and passed orders on 29 4-43 that there should be no objection for granting the permission asked for provided the parties Conform their layout to the Sembakkam Farm layout and that the decision of the Council be obtained in this behalf may be sent to Govt. The C I C considered the letter of Govt Plans were called for and the CC passed the following Resolution "The layout sent by the Govt Architect is approved in general The layout of Mr T Ramaswamy is also approved in conformity with the general layout" On 19 11 43 the Municipal Council considered the C I C Resolution and resolved that "The C I C Proceedings is approved and the layout be granted to Mr T Ramaswamy He should get the unconverted portion of the land converted by the D C Bangalore"

This Resolution was next sent to the Engineer for submission of a Sketch of the layout plan & estimates for roads and drains

After sometime again, there was an office Note dated 15-5-44 to the effect that an ad interim reply may be sent to Govt explaining the circumstances of the case in the first instance and the opinion of the M C Engineer may be placed before the Council for decision ~~as regards the portion of the lands~~ ~~outside the boundaries of the lands and not transferred~~ that the best solution seemed to be to convert only so much of the land as would form complete sites and to keep the balance unconverted so that the Municipality might acquire the rest of the land to form a layout. This Note was "approved" by The Commissioner on 19 5 44 as is seen from the record

The Commissioner wrote to Govt on 30 5 44 and in the letter it was also stated that "the question has therefore ~~to be decided~~ been placed before the Council again for decision for deciding as to how much there is complete sites should be dealt with"

At this stage the Pan Mr T Ramaswamy wrote on 2-6-44 both to CMC and the Commissioner that he was prepared to confine his layout for the present to the extent of his sites that were in conformity with the layout of the Govt Architect leaving out the other sites which have been rendered irregular on account of the general layout and that estimates for roads and drains should be sent to him to facilitate his deposit of the required amount

This undertaking by the party himself disposes of the question which the Commissioner wanted the Council to decide as mentioned in the letter to Book dt. 30 5 44, and disposes of the question of the irregularity and incompleteness also.

The Council having already decided to grant permission in conformity with the General Layout as far back as 8 1 40 and later on on 19 11 43, it seems to me that under the circumstances, and in view of the absolute undertaking given by the Party, this particular matter, which has been hanging for a very long time, needs not again to be put before the Council. My note was on 2-6 44 only. If it should be required to be placed before Council I shall be glad to do so.

Capt Narayanaswamy
31 7 44

Letter dated 2nd June 1944 from Mr T Ramaswamy, B A LL B Legal Practitioner, 55, Lalbagh Fort Road, Bangalore City, to the Municipal Commissioner, Bangalore City Municipality, B'lore

---

Ref - Resolution No 15 dated 19-11-1943 in respect of Layout granted to me

---

I am prepared to confine my layout at present to the extent of my sites that are in conformity with the layout of the Government Architect, leaving out for the present the other sites which have been rendered irregular on account of the general layout You might kindly send me the estimate for roads, drains, etc , early, to facilitate my deposit of the required amount

Tanking you for a reply,

"Copy"

T Ramaswamy

Municipal Commissioner

mlt

26

Appendix F G —1]

SUBJECT

Section

File No

Serial No

Diary No of letter replied to

No L/1752 Q/1878

To

General and Revenue Secretariat

( )

the *194*

The ml Commr, Bcity
thro DOR

Sir,

With reference to the correspondence ending with your letter WD A6.26.375/39-40 D 29-7-44 re the layout of Sites by Mr. T Ramaswamy in S No 2/1 of Annapura Village, near the Lalbagh, Bcity, I am directed to ~~state~~ request that the resolution of the ml cl may in this behalf ~~as awarded~~ forwarded / ~~under~~ ~~that it may be~~ ~~granted to the~~ ~~read~~ early.

I have etc

for

Dy Secy to Govt

Date of issue 18/8/44

Signed by [illegible]

List of enclosures

Copied by

Examined by

WD 04161—GPB—60 000—24 10 41

Mls - Law Dept

251

BANGALORE CITY MUNICIPALITY 3122

No A6-Dr 375/39-40

MUNICIPAL OFFICES

Encl Two

Bangalore 31st October 1944

FROM

P SURYANARAYANA SETTI, ESQ, BA LLB
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

C. Narayanaswamy Naidu, Esq, B A, B L,
Legal Remembrancer & Secretary to Govt,
Law Department, BANGALORE

SIR

Subject Layout of sites in S No 2/1, Annipur village

With reference to your No L 1752/18-8-1944 on the above subject, calling for the resolution of the Council, on the application of the party, to confine his layout to the area in conformity with Government Architect's plan, for the present, I have the honour to state that the subject was placed before the Council in their meeting held on 10-10-44 They have resolved that the layout be granted, as per the undertaking of the party, leaving out incomplete and irregular sites and coming within the comprehensive plan, on condition that he deposits all the usual charges for roads, drains, etc, shown in the layout plan

A copy of the Council resolution together with a copy of the undertaking of the party is herein enclosed for favour of orders of Government

I have the honour to be,
Sir,
Your most obedient servant,

R Narasimhan 2/11
Municipal Commissioner I/C

Forwarded with compliments

Proceedings of the Bangalore City Municipal Council
dated 10-10-1944

Subject No addl.7 -

Letter No L 1752 dated 18-8-1944 from the Law Secretary, regarding the layout of sites in S No 2/1 of Annipur village by Mr T Ramaswami, stating that the opinion of the Council may be submitted on the application of the party to confine his layout to the area in conformity with the Government Architect's plan for the present, etc

The Council is of the view that the layout be granted as per the undertaking of the party leaving out incomplete and irregular sites and coming within the comprehensive plan, on condition that he deposits all the usual charges for roads, drains, etc , shown in the layout plan

Sd C N Narasinga Rau,
Hon President

"Copy"

Municipal Commissioner I/C

ksm

29

Copy of the undertaking (dated 2-6-1944) given by Mr T Ramaswamy, B A , LL B , Legal Practitioner, 55, Lalbagh Road, Bangalore City, addressed to the Municipal Commissioner, Bangalore City

---

Resolution No.15 dated 19-11-1943 in respect of layout granted to me

---

I am prepared to confine my layout at present to the extent of my sites that are in conformity with the layout of the Government Architect leaving out for the present the other sites which have been rendered irregular on account of the general layout You might kindly send me the estimate for roads, drains, etc early to facilitiate my deposit of the required amount.

Thanking you for a reply,

"Copy"

R Ramaswamy

Municipal Commissioner I/C

Minutes of the proceedings of the Adjourned Ordinary Meeting of the City Municipal Council, Bangalore, held on Tuesday, the 10th Oct., 1944 at 4 P.M., in the Council Hall of the City Municipal Offices, Bangalore.

30

PRESENT

C. N Narasinga Rau, Esq , B.A ,B.L
Hon. President.

Messrs.

1. M. V. Veerappa.
2. W. H. Hanumanthappa.
3. Ramalal Thiwari
4. G. Nanjappa
5. C. Chennish.
6. Sirsen Rangaswamappa.
7. H. B. Shankarappa.
8. D. Venkataramanappa.
9. B. N. Gupta.
10. K. N. Ramaswami, B A ,
11. P. Shivashankar. P.A ,IL B.,

Messrs.

12. P. P. Ramiah, B Sc
13. T. T. Sharma.
14. M. A. Gopalaswamiengar, M.A.,B.L.,
15. M. V. Narayandiyengar, B.A., B.L.,
16. M. C. Suryanarayana Rao.
17 K. M. Nagana.
18. A. Amrose Manla, B A , L T.,
19. A. K. Jayamuthuraju
20. Misrimul Parasumull.
21. S. Ghouse Mohiyuddin.
22 A. J. Khaleel
23. Mirza M. Azizulla Beig.

Absent -

Messrs.

1 C R. Ethirajulu Naidu, B.A ,B.L.,
2 S. Visvamurthy, B.A.,
3 P. V. Ramachandra Gupta.

Messrs.

4. L. S Raju, B.A ,(Hons), B L.
5. Mrs. Dwarakabai Cadambi.
6. N. Keshava Iyengar, B A ,B L ,

To The Engineer Officer, 31 Cooper
-5790 C & T. Board, Bangalore
Sir Supply

I am directed to request you to be so good as to state whether the layout of sites in S. No 2/1 of Ammpur Village has been included in the area of any of the ~~the sketch which is enclosed herewith~~ layouts proposed to be entrusted to the ~~Bangalore~~ Improvement Trust Board. ~~No. Dr 37575~~ dated 31 x 1911

The letter of the Municipal Council ~~receipt~~ dated ~~reference~~ and ~~text~~ relevant ~~to the~~ ~~with the sketch~~

Yours

Law Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 57

General and Revenue Secretariat,

No L5790 *Dated, Bangalore* 14th December 1944

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department

To

The Engineer Officer,
City Improvement Trust Board,
Bangalore

Sir,

I am directed to request you to be so good as to state whether the layout of sites in S No 2/1 of Annipur village,-the sketch of which is enclosed herewith- has been included in the area of any of the layouts proposed to be entrusted to the City Improvement Trust Board Letter No A6 Dr 375/39-40 dated 31st October 1944 of the Municipal Commissioner on the subject is sent herewith in original for reference and return with your report, along with the sketch

I have the honor to be,
Sir,
Your most obedient servant,

(Draft)

For Secretary to Government,
Law Department

sr 2

C F No 45]

GOVERNMENT OF MYSORE

Telegram
phone

No 181
Encls

OFFICE OF
The Engineer Officer, City Improvement
Trust Board, Bangalore

Date 7th February 1945

To

The Secretary

to Government of His Highness the Maharaja
of Mysore, Law Department, Bangalore

Sir

In reply to your query if S No 2/1 of Annipur Village is included in any of the Extensions that are contemplated, I have the honour to state that it formed part of the layout of Sunnakal Farm In view of this layout proving unsuitable, being too low to be sewered, it is already ordered by Government to be dropped The S No 2/1 is therefore not needed for any extension

Connected papers are herewith returned

I have the honour to be,
Sir,
Your most obedient servant,

Ramaiah
Engineer Officer,
C I Trust Board

MR/7-2

BIG

MEAN

~~L905~~ 1
To The Mil Commr, Bdgs 10/3/44
thro the ~~DD~~ 35

Sir

With reference to the correspondence ending with your letter No A6 Dr 3755/39-40 & 31-40 46 regarding the layout of sites by Mr T Ramaswamy, in S No 2/1 of Annigere Village, near the Ladbagh Bdgs I am directed to state that, as the act of Bangalore Improvement Act 1945, had come into force from 26-1-45 and as Section 25 thereof prohibits the formation of Private Lay-outs, the permission as ~~that~~ for cannot be Granted

The Petitioner may be informed accordingly

Dhara etc

for ~~Fin~~ Secy to Govt
~~Mb~~ Law Dept

5859

8th March 45

No P.520

To

The Minister for City Municipalities
in Mysore, Bangalore

Petitioner

T Ramaswamy,
55/1, Lal-bagh Fort Road,
Bangalore city

The Petitioner begs to state as follows

(1) He is the owner of Survey No 2/1, in Sunkal Farm Road, near Lalbagh, Bangalore city

(2) In the year 1940 he applied to the Bangalore City Municipality for permission to form a layout of his land into building sites He had also converted 1 acre and 26 guntas of his land into non-agricultural land The Municipal Council by its Resolution No 49 dated 8-1-40 granted permission to him on condition that he deposited layout expenses and conformed his layout to the layout adopted and sanctioned by the Municipality earlier But the Municipal Commissioner wrote to him by his letter No A6 Dr 375/39-40 dated 4-5-40 stating that the petitioner's layout would be sanctioned at the time of taking up of the comprehensive layout The Petitioner wrote to the Municipal authorities time and again stating his readiness to deposit the layout charges and requested the authorities to give effect to the resolution of the Council The replies he got were unsatisfactory

(3) On 8-3-43 he wrote to the Minister for Local Self Government stating that the Municipal authorities were refusing to carry out the resolution of the Council granting him permission to layout sites and praying for the intervention of the government in the matter

The Government were pleased to direct the Municipal authorities by their letter No L10582 ML 120-42 dated 29-4-43 that there could be no objection to the grant of layout and called for a report with the decision of the Council to be submitted to the Government Accordingly the Municipal Council considered the petitioner's layout and reaffirmed the layout again by their resolution No 15 dated 19-11-43 After the said resolution the Municipal authorities again raised objection that the council had not decided as to how the incomplete and irregular sites had to be disposed off, and that the matter should again be placed before the Council. The petitioner then wrote to the Municipal President stating that he would leave out the irregular sites for the - present and that he would agitate the said matter when the comprehensive layout was taken up But somehow the matter was placed before the Council again and the letter of the petitioner was accepted by the Council in October 1944

(4) The Municipal authorities have not intimated the petitioner about the deposit of the layout charges etc He wrote to the Municipality several times stating that he was ready and willing to deposit the layout charges and asked them for estimates But he has not received any reply

The petitioner feels that difficulties will arise if the Trust Board is constituted and hence this petition

(5) Long before the Trust Board act was contemplated by the Government ie , in February and March 1944 the

the petitioner relying on the letter of the Government refered to above and the sanction of the Municipal Council, executed agreements to sell many of his sites in favour of several persons and received advances Out of the advances received by him he paid Rs 7400/- towards conversion fine on 16-2-44

Now if the layout were to be refused to the petitioner, he will be put to much hardship and loss He has always been diligent and pressing the matter for the last 5 years and till now it has not materialised

Wherefore he humbly prays that permission to layout be granted to him and if the government feels that it is not possible to grant the same, they may order for the immediate acquisition of the land

Bangalore
6th March 1945

T. Ramaswamy

Petitioner

OFFICE OF THE MINISTER FOR REVENUE & LAW
No. M 4174
Date 10/4/45

6619

To

The Minister for City Municipalities
in Mysore, Bangalore

Petitioner

T Ramaswamy, B A , LL B ,
55/1, Lalbagh Fort Road,
Bangalore city

The Petitioner begs to state as follows

1 He is the owner of Survey No 2/1, in Sunkal Farm Road, near Lalbagh, Bangalore city

2 In the year 1940 he applied to the Bangalore city Municipality for permission to form a layout of his land into building sites He had also converted 1 acre and 26 guntas of his land into non-agricultural land The Municipal Council by its Resolution No 49 dated 8-1-1940 granted permission to him on condition that he deposited layout expenses and conformed his layout to the layout adopted and sanctioned by the Municipality earlier But the Municipal Commissioner wrote to him by his letter No AC Dr 375/39-40 dated 4-5-40 stating that the petitioner's layout would be sanctioned at the time of taking up the comprehensive layout The petitioner wrote to the Municipal authorities, time and again, stating his readiness to deposit the layout charges and requested the authorities to give effect to the resolution of the council The replies he got were unsatisfactory

3 On 8-3-43 he wrote to the Minister for Local Self Government stating that the Municipal authorities were refusing to carry out the resolution of the council granting him permission to layout sites and praying for the

the intervention of the Government in the matter The Government were pleased to direct the Municipal Authorities by their letter No L 10582 ML 120-42 dated 29-4-43 that there should be no objection to the grant of layout and called for a report with the decision of the Council Accordingly the Municipal Council considered the petitioner's layout and reaffirmed the layout again by their resolution no 15 dated 19-11-1943 After the said resolution the Municipal authorities again raised objection that the council had not decided as to how the incomplete and irregular sites had to be disposed off, and that the matter should again be placed before the Council The petitioner then wrote to the Municipal President stating that he would leave out the irregular sites for the present and that he would agitate the said matter when the comprehensive layout was taken up But somehow the matter was placed before the Council again and the letter of the petitioner was accepted by the Council in October 1944

Hag 9

Hag C

4 The Municipal authorities have not intimated the petitioner about the deposit of the layout charges etc , He wrote to the Municipality several times stating that he was ready and willing to deposit the layout charges and asked them for estimates But he has not received any reply

The petitioner feels that difficulties will arise if the Trust Board is constituted and hence this petition

5 Long before the Trust Board act was contemplated by the Government ie , in February and March 1944 the petitioner relying on the letter of the Government

Government referred to above and the sanction of the Municipal Council, executed agreements to sell many of his sites in favour of several persons and received advances Out of the advances received by him he paid Rs 7490-0-0 towards conversion fine on 16-2-44

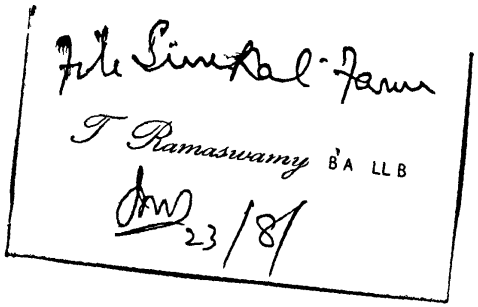
Now if the layout were to be refused to the petitioner, he will be put to much hardship and loss He has always been diligent and pressing the matter for the last 5 years and till now it has not materialised Now he has come up to the Government for Justice

The petitioner had made a similar application on 6-3-1945, but has not received any endorsement so far Hence this petition

Wherefore he humbly prays that permission to layout be granted to him and if the Government feels that it is not possible to grant the same, they may order for the immediate acquisition of the land

Bangalore city
D/- 9-4-1945

Ramaswamy
Petitioner


T Ramaswamy B A LL B
23/81

GEN & REV SECRT 1/5-1/45 LSG SECTION

To

The Minister for City Municipalities
in Mysore, Bangalore.

Petitioner -

T. Ramaswamy, L.A., ~~B.L.~~ LL B
55/1, Lal-bagh Fort Road,
Bangalore City.

The Petitioner begs to state as follows

(1) He is the owner of Survey No.2/1, in Sunkal Farm Road, near Lalbagh, Bangalore City

(2) In the year 1940 he applied to the Bangalore City Municipality for permission to form a layout of his land into building sites. He had also converted 1 acre and 26 guntas of his land into non-agricultural land. The Municipal Council by its Resolution No.49 dated 8-1-1940 granted permission to him on condition that he deposited layout expenses and conformed his layout to the layout adopted and sanctioned by the municipality earlier. But the Municipal Commissioner wrote to him by his letter No.A6.Dr 375/39-40 dated 4-5-1940 stating that the petitioner's layout would be sanctioned at the time of taking up of the comprehensive layout. The Petitioner wrote to the Municipal authorities, time and again, stating his readiness to deposit the layout charges and requested the authorities to give effect to the resolution of the Council. The replies he got were unsatisfactory.

(3) On 8-3-1943 he wrote to the Minister for Local Self Government stating that the Municipal authorities were refusing to carry to out the resolution of the Council granting him permission to layout sites and praying for the intervention of the Government in the matter. The Government were pleased to direct the Municipal authorities by their letter No.L10582 ML120-42 dated 29-4-1943 that there should be no objection to the grant of layout and called for a report with the decesion of the Council. Accordingly the Municipal

Council considered the petitioner's layout and reaffirmed the layout again by their resolution No.15 dated 19-11-1943. After the said resolution the Municipal authorities again raised objection that the Council had not decided as to how the incomplete and irregular sites had to be disposed off and that the matter should again be placed before the Council. The petitioner then wrote to the Municipal President stating that he would leave out the irregular sites for the present and that he would agitate the said matter when the comprehensive layout was ready. But somehow the matter was placed before the Council again and the letter of the petitioner was accepted by the Council in October 1944.

(4) The municipal authorities have not intimated the petitioner about the amount of the layout charges etc.. He wrote to the Municipality several times stating that he was ready and willing to deposit the layout charges and asked them for estimates. But he has not received any reply.

(5) The petitioner feels that difficulties will arise if the Trust Board is constituted and hence this petition.

( ) Long before the Trust Board act was contemplated or the Government i.e., in Febr ary and March 1944 the petitioner relying on the letter of the Government referred to above and the sanction of the Municipal Council, executed agreements to sell many of his sites in favour of several persons and received advances. Out of the advances received by him he paid Rs.74,000/- towards conversion fine on 10- -1944.

Now if the layout were to be refused to the petitioner, he will be put to much hardship and

loss. He has always been diligent and pressing the matter for the last 5 years and till now it has not materialised. Now he has come up to the Government for Justice.

The Petitioner had made a similar application on 6-5-1945, but has not received any endorsement so far. Hence this petition.

Therefore he humbly prays that permission to lay out be granted to him and if the Government feels that it is not possible to grant the same, they may order for the immediate requisition of the land.

Bangalore City
6th April 1946

Petitioner.

45 — ML 88-45-2

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

To

The Municipal Comr Bangalore City (Through the President)

Subj Layout of Sites in S. No 21 Annapur village, near the Lalbagh, Bangalore City

Sir,

In continuation of this Office letter No 4905 dated 10-3-45, on the above subject, I am directed to state that, on consideration of all the circumstances of the case Government are pleased to direct that the permission asked for by Mr T Ramaswamy for the formation of Layout in S No 21, of Annapur village, near the Lalbagh, Bangalore may be granted to him as resolved by the City Municipal Council at their meeting held on 10-10-44 and subject to the conditions specified therein

I have &c

Dated 28/12

for Addl Secy

WD 03697—CPB—30 000—2 2 46

No. L-3260-2 dt 25/10/45

The Dy Chief Engineer, NE

Copy w.c to your Architect and the Executive Officer C.P.W.D. Board B'hoe, for information

B.O

for Addl Dy.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 3259 / M-88-45-3 *Dated Bangalore,* 25th October 194

FROM Additional
The Secretary to the Government of His Highness the Maharaja of Mysore

To The Municipal Commissioner,
Bangalore City

REGD
The President.

Sir,

Subject:- Layout of sites in S.No.2/1 Annipur Village, near the Lal-bagh, Bangalore City.

.....

In continuation of this office letter No.L.9051 dated 10th March 1945 on the above subject, I am directed to state that, on a reconsideration of all the circumstances of the case, Government are pleased to direct that the permission asked for by Mr.T.Ramaswamy for the formation of a Layout in S.No.2/1 of Annipur Village, near the Lal-bagh, Bangalore City, may be granted to him, as resolved by the City Municipal Council at their meeting held on 10-10-1944 and subject to the conditions specified therein.

I have the honour to be,
Sir,
Your most obedient servant,

J H KALIAR DHYA
Additional Secretary to Government.

Memo No.

Copy of the above is forwarded, with compliments, to the for information.

By Order,

Additional Secretary to Government

N .6. Extra

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L-3259 / M-88-45-3

General and Revenue Secretariat

Dated Bangalore, 25th October *194*5

FROM

The Additional Secretary to the Government of His Highness the Maharaja of Mysore

To

The Municipal Commissioner,
Bangalore City

THROUGH

The President.

Sir,

Subject:- Layout of sites in S.No.2/1 Annipur Village, near the Lal-bagh, Bangalore City.

.....

In continuation of this office letter No.L.9051 dated 10th March 1945 on the above subject, I am directed to state that, on a reconsideration of all the circumstances of the case, Government are pleased to direct that the permission asked for by Mr.T.Ramaswamy for the formation of a Layout in S.No.2/1 of Annipur Village, near the Lal-bagh, Bangalore City, may be granted to him, as resolved by the City Municipal Council at their meeting held on 10-10-1944 and subject to the conditions specified thereon.

I have the honour to be,
Sir,
Your most obedient servant,

SD J B MALLARADHYA,
Additional Secretary to Government.

Memo No.

Copy of the above is forwarded, with compliments, to the
for information.

By Order,

Additional Secretary to Government

No L 3431 dy 9/11/45

Endorsement granted to Mr
T Ramaswamy, B A LL B
55-5/1 Lalbagh Fort Road
Bangalore City

In reply to his petition dated 7-4-45, addressed to the Minister for Revenue and Law, requesting permission for the formation of a lay out in s 2/1 of Annasandra village near the Lalbagh, Bangalore City, as resolved by the City Municipal Council at their meeting held on 10-10-44, Mr T Ramaswamy is informed that he may approach the Municipal Town Bangalore City, who has been directed to grant-

Grant his request

B. O
for Addleday
1/11/45

No L 3432
Copy sent to Municipal Tramways Board
City, for information in continuation of this office
letter no L 32579 /III 88-45=3 D 25-10-45

B. O
for Addleday